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The Professions.

AN

ADDRESS

DELIVERED AT THE COMMENCEMENT

OF THE

**MEDICAL DEPARTMENT**

OF

WESTERN RESERVE COLLEGE.

AT CLEVELAND, FEB. 21, 1849.

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BY HENRY N. DAY.

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## ADDRESS.

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WE are assembled this day, as representatives of society, in recognition of the deep interest which she has in the formal initiation of her sons into the responsibilities and sanctities of Professional life. It is not, however, the interest which society feels in the personal welfare of those who are thus formally initiated, deep as that interest may be; it is not the immediate interest which she feels in the prosperity of the Institution that has been her organ in ushering them into a respectable and useful occupation, which constitutes the peculiarity of her interest in this occasion. The interest grows out of the peculiar relations which society sustains to professional life, as such. She feels no such interest in a similar introduction to the duties and responsibilities of other than professional callings. She has an interest there, but altogether unlike in kind, if not in degree, to that which professional life claims of her.

Entertaining this conviction of the peculiarity of the claims of proper professional life on society, and, consequently, of the peculiarity of the interest which attaches to this occasion, I am at once directed to the theme which may now appropriately employ our thoughts. It is, precisely,

### **The Foundation and Nature of the Distinctive Claims of Professional Life.**

But lest I should seem to be justly chargeable with an impertinent arrogance and pretension, even in the conception and statement of my theme, let me, at the outset, invite a moment's attention to the evidence of the fact that the distinctiveness of these claims is in reality generally recognized—recognized in the most decisive forms, those of common discourse.

I have used the phrase "Professional life." Have I used words without meaning? Has the phrase conveyed no idea to my hearers?



On the other hand, has not the expression at once pointed to an idea familiarly entertained in every mind ?

There is such a thing then, as "professional life," well understood, distinctly conceived of, so familiarly recognized as to be embodied into the language of common life. The fact proves that it is a distinct, peculiar thing which is thus denominated; that professional life has something in its very essence distinct from all other forms of social life.

We speak, in like manner, of the "professions," distinguishing, thus, certain occupations from the general mass of human pursuits and callings, as if they were in their own nature peculiar. We have, too, in our own language, of more frequent use, indeed, in the mother country than in our own, expressions which distinguish professional men, as such, from all others. Relatively to members of the several professions, other men are familiarly called "laymen." In reference to a member of the English bar, every other man in the nation, be he King or Lord or Bishop, is a layman.

I would be far from so disparaging other pursuits and avocations as to maintain that this distinction, so generally recognized in the habitual conceptions and discourse of men, is one of degree;—that professional life differs from other departments of social life only in being of a higher grade in the social scale. The distinction, on the other hand, is not one of degree, but of kind. Professional claims on society differ in their essential nature from the claims of other departments of human pursuits.

The three callings, familiarly known as "the Professions," are the proper, natural, not to say necessary development of humanity in its earliest unfoldings into civilized life. They are founded on the deepest, most essential, most generic distinctions in the human constitution. As soon, therefore, as society begins to develop the rudiments of humanity, in the various forms of civilization, the germs of these professional distinctions appear, and swell and mature precisely with the progress of society.

Civilized life, which is the true life of man, his natural life in the proper sense of the expression, is founded on the mutual dependence of men. Their social nature implies this dependence. We are designed and constituted to be members of one body, in the strict sense of the expression. We are not constituted to be isolated units, destined to develop each our own distinct individuality, aloof from others. Men



become perfect men only in society ; only as active members of society, performing, each, his own function, ministering in his own distinct way to every other member, and receiving in turn the ministrations of others. This, indeed, is the especial design and province of society, to develop the peculiarities of individual members consonantly with the wants of others ; to organize all in this way into one body comprehending a diversity of harmonizing functions, each so related to the whole as to be a complement of the rest. The so called "division of labor" is not a mere mechanical principle, applied from without by calculating men. It is the proper result of the workings of society ; a lawful and necessary development of the social state in its progress onwards.

Here, then, is a great law of human existence—a law imperatively ordaining that men in society become distinct members of one body ; that they develop themselves into diversities of functions with, each, a different ministry ; or, if need be, if society be sufficiently extended in its organization, into groups of functions. It is a law which operates with a controlling force. How silently and yet how powerfully and beautifully, does the well matured state prove it to have operated—forming into one compact, efficient body, such diversities of character, talents, discipline, skill—the greatest possible diversity in the highest possible unity !

In the savage state, this law of functional development, if I may so call it, has but a limited operation. There we find only rudiments, tendencies, germs of a free humanity. The savage lives, with slight exceptions in the social arrangements of the family and the tribe—the savage lives by himself, in himself, for himself. The diversified wants of man's developed nature go unsupplied, or are supplied only as he performs for himself the duties of society. Yet even in barbarism are tendencies to society and to a functional social development. Now in those tendencies and rudiments gradually unfolding themselves in the advance towards civilization, we ought to discover what are the most essential functions of social life ; what of the various members of the social body are most important, most necessary. We find, in fact, that they are the professional tendencies. The very first development into distinct social functions is into those of religion, medicine, law. The administration of law in government and the adjustment of social difficulties, the administration of the offices of religion

and of medicinal care—these are the first and earliest employments which are assigned to particular orders in society. At first, they sometimes appear combined in one. The same person is chief, and medicine-man, and priest. As society extends its organization, they distribute themselves into distinct professions; and even before it reaches what is properly called the civilized stage, they attain a character so fixed and permanent as, in some instances, to become hereditary in certain designated families. In all forms of fully civilized society, in all ages and in all countries, these professions stand out prominent and distinct from all others, constituting ever a class of pursuits by themselves.

We have, then, this historical evidence of the distinctiveness and peculiarity of the claims of professional life on society. As if more essential than any other, it develops itself in the earliest unfoldings of social existence; and earlier than any other it roots itself deep in the very heart of society. In history, the law of functional development ever gives precedence to professional pursuits.

In perfect correspondence with this historic fact and in explanation of it, we find grounds in the analysis of human life itself for this early appearance of distinct professional pursuits in history. We find them to be founded on the lowest, most original, most essential distinctions in the nature and relations of man.

The first distinctions given us in the essential nature of man are obviously those of body and spirit; and his most fundamental relations are his personal and his social relations. These distinctions respect the whole of human nature. They indicate at once all the generic wants of man for which society should make provision. His social and his personal wants—his personal wants including his spiritual and his physical wants—these, then, are the comprehensive classes of human wants. To meet these wants, so distinct and so important, we should expect society would, in the very beginnings of its functional development, make distinct provision: the first branchings of functional distinctions should be these. For the Physical life, the Spiritual life, the Social life of man, society should provide for each, special superintendence, special guards, special aids; in short, special curators. This it does in its professional arrangements. And here, precisely, lies the grand distinction and peculiarity of, properly, professional callings; that to them, severally, is specially entrusted the immediate care of these fundamental forms of human life.



This care is immediate and direct as well as entire. In all other pursuits, the provision which is made for human wants, of whatever class, is but indirect, mediate and partial. This relation of professional to other pursuits in their respective bearings on human wants, which furnish the original ground of all functional distinctions in society, it may not be amiss to consider more in detail.

Let us take, then, first, the profession to which is assigned the care of the Spiritual life. The heart of this life is the moral or religious. The intellectual and the emotive or sensitive is but its body. A sound spiritual condition imports, then, first and essentially, a healthful moral or religious state ; and then as necessary to this, and at once implied in it, a healthful intellectual and emotive condition. The moral is the essential. For although a mature and healthful state of morals or of piety is impossible without a proper culture and development of the intellect and the feelings, still it remains true that a proper culture of the religious life necessarily draws with it intellectual and emotive culture and development.

Originally, the whole care of the complex spiritual nature was devolved on the same social functionary. The religious teacher superintended and directed education generally. When in the progress of society, the duties were distributed, and the care of the essential part of the spiritual nature, the direct, immediate supervision of its interests was separated from the mere intellectual culture, still, education in the general sense, did not pass away from its superintending care. Ever learning and religion have maintained with each other a vital connection. If ignorance has always been the mother of superstition, superstition has likewise always been the mother of ignorance. Ever the corruption or the neglect of religion has drawn on with it a debasement of the intellect. Every attempt to nurture religion in ignorance by religious teachers, if the terms do not involve a contradiction, by so called religious teachers who boasted of their ignorance, or by better instructed teachers who have thought religion was better nursed in benighted minds, has proved utterly abortive. The result has uniformly been, instead of healthful piety, fanaticism, superstition, bigotry or infidelity. Like quackery in the other professions, it has only resulted in the destruction or serious injury of the very life it undertook to save and cure. So, likewise, the attempt to secure a true spiritual life by the culture and development of the intellect to the exclusion of the



proper religious life, has ever been a signal failure. Instances of such quackery have occurred in abundance ; but like that species of it in a sister profession which would place the physical life in the blood alone and seek to secure health by remedial applications to it exclusively and in all cases of disease, have resulted only in worse disease.

Similar remarks are applicable to the views of those who would perfect the spiritual nature through the emotions and the taste. A religion of mere sentiment is a religion without an indwelling life ; and a sentimental religionist is perfectly imaged in the physical form and structure that is nursed in oils and perfumes—of shining complexion, rounded outline, and easy motion, perhaps, for a brief stage of its existence, but without inward soundness and hence soon passing into the most disgusting of all pretended forms of life ; an Andalusian beauty at twenty, and an Andalusian hag at forty ; of an outside fairness and captivation in the blush of life, withered and haggard in its proper maturity.

So the *artistic* quack in spirituals, he who would develop the true interior life in man, by the elevating influences of literature and of the fine arts merely, by the culture and nourishment of the taste, as if the seat of the Spiritual life were there, he, in the event, only finds disease confirmed and rooted by his very efforts at cure.

In one or another of these different modes proceed all the labors of men that bear directly on the spiritual life. I mean that all the pursuits and callings developed in society which bear on the interests of the spirit, address either the proper religious life, as in the strictly theological profession, or the intellect, as in the sphere of the educator and of the scientific author and teacher, or the sentiments and the taste, as in literature and the fine arts.

We are directly shown thus the relation which the proper religious profession bears to all other pursuits that respect the spiritual nature of man. While it bears directly on the very heart of the spiritual life, and must, to a certain extent at least, independently of the others, see to the proper culture of the intellect, the sentiments, the taste, they bear only indirectly and partially upon the higher life of the spirit. They respect only the subordinate departments of spiritual action. They are only ministerial and auxiliary, while it is principal and directive. They derive their proper life from it ; are but branches of the one great professional trunk. For only as the spiritual life in the higher sense

thrives, can science, literature or art truly thrive. Whenever either of them usurps the prerogative of the higher, and dreams it finds the true life of the spirit in its own province, it is so far infected with quackery; and evil if not ruin to all it touches is the legitimate consequence.

Passing now to the profession to which the social life of man is specially committed, we shall find the same relation to exist between the proper professional and other kindred pursuits.

The lawyer has entrusted to him the social life of man. This is his function, to preserve the social life in security and soundness; and by his preservative care secure its full and complete development. For it is worthy of remark here that the professions, all alike, partake rather of a negative than of a positive character. They all bear on the side of infirmity and disease, as curative, sanative, rather than on the positive as directly invigorative and formative. Providence has given to all these forms of life a power of self-development of their own, inherent in their own nature; and human art is called in rather as corrective, remedial, and protective.

It is the province of the legal profession to watch over the unfoldings of the Social life, and secure them from harm and from impediment. It presides over the relations between man and man; and sees that they are sustained in their healthful condition. Its supervision covers the entire field of man's social life. Wherever man stands related to his fellow, there law enters. It presides not only over municipal relations—over the civil and political life—over the state; it extends its prerogative, also, over the other two great societies existing among men—the church and the family. It is true all human society is in its very nature temporary; and hence law seems to regard only the temporal relations of men, and, therefore, to have no respect to the supra-temporal—the spiritual. Yet so far as even spiritual relations manifest themselves in time, law takes cognizance of them, and does not step out of its proper jurisdiction when it interferes to correct and heal a violation of them. It is a most unreasonable jealousy which ecclesiastics have sometimes manifested in regard to the admission of legal principles to the adjustment of social difficulties in the church, so far as the jealousy has been founded on a supposed repugnance between Law and Religion. Necessity often over-rides all such narrow jealousies; and the highest social interests of religion are not unfrequently referred, where they should be, to the tribunal of the law for



adjustment. That the legal profession has embraced in its membership those who have perverted its high functions, and been ready for selfish ends to poison the very life they were commissioned by society to heal, to aggravate wrongs and inflame malicious resentments, only proves that, like the sister professions and every thing that is good among men, it is liable to abuse. The incidental evil should not abate our reverence for what is in its own nature and in its tendency of itself, entirely good—nay, of the most indispensable necessity to man. That litigation is a term of ill odor is owing, in small part, perhaps, to such occasional abuses of professional power, but vastly more to the fact that generally remedial measures, in religion, medicine or law, are painful; and, regarded in this aspect, are in themselves repulsive. But while the particular part bleeds or sweats, and in the patient or sympathizing spectator, the lancet or the cauter, at the time, or by association afterwards, provokes a shudder, it should be remembered that the social body has thereby received relief and been restored; and the profession by which social health is thus recovered, although from the necessity of the case by painful remedies, is justly entitled to the gratitude, the love and reverence of the community. But even if the profession has become, in the view of any, corrupt, an opinion which I am far from recognizing as correct, let a reform of abuses be advocated; let not a profession beneficent in the highest degree and absolutely indispensable to society, be denounced.

The profession of the law, as the direct offspring of the care of society over the social life of man, is, in its origin, allied to various other pursuits or callings which are ministerial to social wants, constituting a distinct class by themselves, just as we have seen that the Spiritual life originates a distinct class of pursuits which minister to its wants. In the great associations ordained by heaven ever to subsist among men, the Church and the State, as well as in all those temporary associations voluntarily formed among men for occasional uses of whatever kind, there arise the necessary agents and ministers of the social condition thus originated; and so far as the permanence and importance of the particular office or station shall call for a special training, there spring up distinct pursuits or callings. Here belong the various commercial pursuits, as the proper mercantile, those which direct and manage the various modes of intercommunication, and the like. But among all these pursuits thus allied in their origin and the



end of their ministry, how distinct and how peculiar is the position which the professional calling sustains. How more original and primitive, lower in the developments of social life. How it commands and controls all.

The judicial department of a government, of which the legal profession is an essential constituent, stands on higher ground than the legislative or executive. If it receive from the constitution-making power its introduction to the particular civil society, and the formal recognition of it as the organ of the social body with its outward mode of existence ; if it receive from the authority which the society has ordained for that purpose from the legislature, the specific modes of its action for that particular people, it yet subsists essentially by a higher life. Before written constitutions, before actual legislatures, a judiciary must exist. Hume has remarked that in an undeveloped society the judicial power is always of more consequence than the legislative ; and it is not unnatural that even before society is formally organized under legislatures and governors, "lynch law," in a good sense of the term, should spring up as in our own new settlements, and that temporary arbiters should gradually become the recognized judges of the community. The judiciary does not derive its principles from the legislature. By principles derived from a higher source even than the constitution, it supervises legislation itself. Yes, even the popular sovereignty—the will of the majority is rightfully subject to its control. It is its sacred office to interpose for the relief of a suffering member that is oppressed by a plethoric system. The principles which it recognizes and enforces for the social welfare are broader, deeper, than can be embraced in statutes. It is a species of legal quackery, of which, unfortunately, we see some symptoms about us, to attempt reducing all civil laws to codes, clearly and systematically set forth so that the rudest can understand and apply them, in order that litigation and lawyers may cease from the state. That law, "whose seat is the bosom of God, whose voice the harmony of the world, to whom all things in heaven and earth do homage, the very least as feeling her care, and the greatest as not exempted from her power," even as applied to social interests among men, can not be so comprehended and straightened—so fingered and scissored out into book and chapter and section. The attempt is as futile and silly as to enforce universal soundness of religious belief by articulated creeds, or universal physical

health by dispensatorial systems, adapting, for family use, catalogued remedies for catalogued diseases. It is quackery in the strict sense, and ends with the evils of quackery. Such universal codification is the hot bed of litigation ; and the summer-day glory of lawyers. The truest policy of every state, whether civil peace and security and social confidence or economy be regarded, is to confine legislation to a few grand points and thus secure simplicity and permanence to its enactments, leaving all else to be developed and applied in the usual modes of judicial procedure. Excessive legislation is excessive lawlessness ; and, by consequence, excessive litigation.

The judiciary, deriving its principles from the infinite fountain of justice and applying them to the ever-varying phases of social life, although in the accidental form of its organized life, shaped by political enactments, and in this way properly commissioned and sanctioned for the particular social body, yet has a life derived from a higher source. It is the necessary curator and director of all political life and action ; the grand conserving principle of civil society. Wo to the people that suffer themselves to undervalue its high character or to profane its sacred ministry.

The true position, then, of the legal profession, relatively to all the other various pursuits which originate in the social life of man and minister to its wants is, that its relation is to this life more direct, more immediate, more fundamental. It watches in its inner sanctuary to keep its pure fires ever burning. It watches over all its out-goings, its immediate guardian and protector. All other pursuits and callings bearing on the social life, it regulates and controls, and makes the ministration of all healthful and efficient.

To the remaining one of the three professions is entrusted by society the special keeping of the other form of human life—the physical.

The physical life is the first care of man, the first care of society. In it the social life and the spiritual germinate and mature. On its soundness depends their growth and development. For its protection and subsistence, providence has made most ample, most manifold arrangements ; and for its wants, which correspond in extent and variety to the bountiful provisions of nature, society, in its development, originates manifold ministries. In the large class of callings and pursuits which spring from the physical wants of man, comprising all those which minister to the sustenance, the protection, the comfort—



the well-being generally of the body—the agricultural, consequently, with most of the mechanical and productive arts, the profession of Medicine stands by itself, their common head and center. In a true sense, it presides over all. It is its function and prerogative to judge of the bearings of all on the physical life ; to take their several products and agencies under its scrutiny and determine their character and worth relatively to the physical wants of man. All submit to its control. There is not an occupation followed by man, which would not at once engage all the powers of society for its extirpation if its products were once pronounced by the profession to be wholly detrimental to the physical life.

Its supervision and ministry is direct and immediate ; while that of the other allied pursuits is but indirect and mediate. The agriculturist has no direct reference to the condition or necessities of the physical life in selecting the kind of his products or in determining the mode of production. The manufacturer does not fix his eye directly on the suffering body with a view to its relief or benefit in the direction of his skill and enterprise. It is the market—the demand in the community which stimulates and directs his energies. Even if it be allowed that the market, the demand ultimately depends on the physical wants, still productive industry does not look to that immediately and directly. It is this direct care and supervision of the physical life itself in its manifold susceptibilities which distinguishes and characterizes the profession.

Other physical callings meet only specific wants. One ministers, in its indirect way, to the sustenance of the body ; another to the proper sheltering and protection from the elements ; a third to its positive comfort and enjoyment. The profession takes the whole life into its care. It is quackery, by universal allowance and consent, if but part be taken into view. It is quackery, if the existence of that mystery which we call the life—a mystery as to its nature and essence, but known in its manifestations and effects, in its laws consequently—if the existence of the life be not virtually recognized in all medicinal treatment ; if the supposition be harbored that all curatives can reach no further, even in their remote action, than particular organs or structures ; that they are consequently only local in their effect, and extend not through the whole frame by virtue of that sympathetic force which the life originates and sustains throughout the entire animal structure. Much more is it quackery if the entire susceptibility to medicinal



agency be imagined to reside in a single organ or structure. It is no quackery in the agriculturist if he raise only wheat, although man can not subsist on bread alone, and although society has devolved on the agriculturist the ministry to the sustenance of the body. But that ministry being partial, not entire, he escapes the imputation.

Other physical pursuits, farther, respect only specific agencies of nature ; the profession which presides over them must respect all, inasmuch as all affect the physical life. It is quackery to suppose that all medicinal agency in nature resides in any one of its departments, in heat, or air, or water, or electricity, in herbs or minerals ; in any one or in but part of all. The physical life is related to all ; it is susceptible of influence certainly for evil from all ; and, consequently, if we have any faith in the benevolence or wisdom of providential ordinances, for good from all. To exclude any department of these natural agencies from a system of therapeutics, because of its being supposed to have no bearing on the human constitution, betokens at once the combined narrowness of view and extravagant pretension, the name for which society has derived from a familiar biped.

This high, peculiar, commanding position does the Medical Profession occupy in reference to all the pursuits among men which with it are ministerial to the wants of the physical life. It presides over all. Its ministry is direct and immediate and entire ; while theirs is but indirect and partial. Its relation to them is, therefore, precisely identical with that of the other two professions to their cognate pursuits respectively. Each has the life in the entirety of its wants and liabilities directly and immediately confided to it.

This view of the relation of the professions to the development of society indicates another peculiarity of professional life. It is that the professions, of their own nature, must be *learned* professions. This distinction, we have seen, even the language of common life gives to them, and justly.

All developments of man in society are from and through intelligence. The savage is a savage because he is ignorant. Enlighten him, and at once the germs of social life, of civilization which lie in the essential nature of man begin to protrude, to swell, to develop themselves into the various shoots and branches of civilized life. Intelligence is the genial heat which stimulates their developing power ; the aliment of their life and growth. The professions, then, which,

as we have seen, are the first functional germs to feel the kindling influences of intelligence, should ever maintain the advance in intelligence thus given them in their origin, beyond other pursuits. If they relatively recede, they lose their hold at once, as all history shows, on the respect and confidence of society.

The nature of their peculiar function demands that they be learned. The concrete life of man, in its three comprehensive forms, the Spiritual, the Social, and the Physical, is entrusted to their care—the most precious trust of humanity. It would be equivalent to denying intelligence to be a distinguishing attribute of man to imagine that this trust could be discharged in but ordinary intelligence. It is the silliest, the worst of all quackeries, to suppose that the care of the spiritual, the social, or the physical life of man, is safe in the hands of ignorance—of mere empiricism.

The extent and variety of the knowledge which appears from the very first glance to be indispensable, even to a small degree of professional skill, evinces the necessity of high intellectual discipline and culture in the professions. How can the spiritual life be duly fostered in ignorance of the spiritual nature of man, of its susceptibilities to outward influences, and of the character and extent of those influences? With what chance of success can he nurture and develop the spirit who knows nothing of its diverse functions and capacities, its laws of development and of action, its susceptibilities and liabilities—who knows nothing of what constitutes true intellectual or spiritual nourishment; has little knowledge of the light which is reflected from the works of God in nature and Providence, little of the more direct revelations which are found in the written word, perhaps none of their original form or import?

The care of the social life, too, what wide extent of knowledge, what vast power of intellectual discipline, what full maturity of mental culture does it properly involve? The social life itself—what it is, what are the conditions and modes of its development, what are the principles which govern it in its sound and healthful growth;—what study of man in his nature, his relations, his history, does a knowledge of this imply? Psychology, Ethics, History, are sciences which the Legal Profession presupposes as essential to all intelligent practice, as preliminary even to the construction of legal science itself—of jurisprudence. Then the instrumentalities of the profession—the skill to use and apply the knowledge of legal principles, the logic which must



make clear and unequivocal the application of the principle to the special case ; the power of expression by which mind can work on mind in conviction or persuasion—the skill in words, the æsthetic culture, the power of illustrative imagery, the vocal expression—how much is necessary worthily to win the name of a lawyer !

If not more really, still more apparently, is learning essential in the Medical Profession. The proper care of the physical life involves a knowledge, so far as it can be carried, of that mystery itself—the life, especially in its developments as disclosed in the great science of Physiology ; a knowledge of the structure in which that life works ; of the elements from which it derives its nourishment and support, and from which it is liable to receive corresponding injury. How many are the sciences which medicine presupposes, which are directly ministerial to its uses !

The professions are justly characterized as *learned*. As distinguished from all others, they are *the learned* professions. As professions they have recognized this characteristic. It has been their aim to give a scientific character to all their membership. Hence have arisen, as a spontaneous development of their nature as learned, the various professional schools in different ages and climes to impart to their members the highest possible scientific character. In these worthy yet natural endeavors of the professions, society owes it to itself to lend a ready co-operation ; as its dearest interests are implicated in the character of the professions in this respect. A learned clergy, a learned bar, a learned body of physicians, these, severally, are the foundation and security of a healthful religion, sound civil order, and of physical health in society. The professions have this peculiar claim on society that directly by its beneficent endowments of professional institutions, and indirectly by its discreetly bestowed patronage and encouragement, it make its professions really learned professions.

Closely connected with this is another peculiarity of professional life—that *the professions subsist by an organic law*. I mean that membership in each must be evolved from itself. This has ever been the tendency and aim of the professions to educe from itself its entire membership ; to educate and train as well as to try and approve all practitioners in their respective spheres. So essential to the best interests of society is this, that not unfrequently has the state itself interposed its authority to sustain and enforce the principle. And notwith-



standing the popular outcry against standing orders and exclusive privileges, sweeping violently and blindly over all that is organic in society, we see that even in this day of equal rights, the necessities of experience are prompting an earnest call both in Great Britain and in Germany for a direct interference of the government to confine the practice of medicine to such as are formally tried and approved by the profession itself. There may be reason to doubt whether legislative enactments are the best means of protecting the community against the evils of quackery in either of the professions. It may be better to leave the doors open to all who choose to practice, and to depend on the elevation of the character of the profession with consequent provisions for organic extension and propagation. Doubtless there will ever be found in the community those who will choose to entrust the keeping of their souls, their property, their lives and health to ignorance and pretension. But the correction of this evil, great as it may be, is not best effected, perhaps, by state interference and prohibition. While the common law provides a partial redress for actual injuries from unskilful practice, a partial preventive may be obtained, perhaps, from the introduction of the English Dispensary system, by which, through voluntary association, regular practitioners are provided for the community.

We need no better evidence of the propriety and necessity of maintaining this organic perpetuation of the professions, than the fact that in their growth and extension they have all alike, as of a common necessity, adopted and applied the principle. As learned professions, it has been impossible that they should sustain themselves at all except in this way. The religious profession has maintained the principle even when perverted and abused to the arrogant usurpation of all ecclesiastical office and station. Society has suffered this abuse and injury in deference to the principle. But the power of organic extension and the right of ecclesiastical appointment by no means of necessity go together. The bar might as well arrogate to itself the selection of civil judges as the clergy that of church officers. It is right and necessary for the best interests of society that the clergy educate and prove their own members ; it is a distinct right of the church to determine its own organization. So, in fact, we find that even when the two have been separated, the organic principle of professional propagation has still been maintained in the clergy.

Thus it has been, likewise, with the bar. Sustaining, as does the

Clerical Profession, a necessary relation to an independent social constitution, it receives from the state the organizing element in its organic action. Yet while the court presides, declares, the bar of right assumes to itself every where the prerogatives and functions of a free society. The right to *make a motion* in open court—what an import and significance has this usage in regard to the independence and freedom of the Bar? Even although the right to practice be made common to all, so far as civil enactments may go, still the legal profession owes it to itself and to the interests especially entrusted to it by society, to maintain its own organic existence, and by the elevation of its membership, win for itself the exclusive though free patronage of the community.

The Medical Profession sustains no such intimate relation to a distinct social constitution, as does the Clerical Profession and the Bar, respectively, to the Church and the State. The organizing element is more distinctly in itself. The responsibility which society has thrown upon it, is consequently more exclusive. As the only competent judge of what are fit qualifications for the proper care of the physical life, society has, with reason, not to say of necessity, devolved upon it the duty of approving and commissioning the guardians of physical health. The profession has generally discharged this duty. When the right was taken away and untried irresponsible practitioners have flooded the community, experience has driven back to the revival and enforcement of the organic principle.

Right and proper as may be the outcry against monopoly and exclusive rights, in regard to some developments, or rather excrescences of the social body, there exists no place for it here. The tendency of the age is strong towards the indiscriminate overthrow of all that is organic in society. The professions owe it to themselves, and to the highest interests of men, to resist the current; to confine it within its proper limits, lest all the organic laws of man be swept away, and men be left, no longer compacted into the strength and security and prosperity of well organized society, but isolated, unsympathizing, unrelated units, and of consequence, but poor miserable imbecilities and deformities of humanity.

I have thus indicated the distinctive character and relations to society of the professions. I have endeavored to show that they and no others have the immediate and direct care of the three forms of human life entrusted to them by society, and that of necessity in its progress



towards a perfect civilization ; that they are, in a peculiar sense and distinctively, learned professions ; and that they subsist by an organic law of perpetuation.

May I be allowed, in conclusion, to offer one or two brief suggestions which naturally arise in the review of our discussion.

One is, that the members of the several professions should cultivate and cherish for each other a reciprocal sympathy, esteem and respect, while they harmoniously co-operate in advancing the highest interests of society.

The professions, as we have seen, stand in their very nature and origin in a most intimate, may I not say, sacred relation to each other. Society has taken its three great departments of functional duty and assigned one to each for its especial care. With functions equally high, important, sacred, society expects in the very distribution, that they labor harmoniously, and consequently with reciprocal good will and deference in promoting the great ends of social life. Separated in their respective provinces of duty by distinct boundaries and landmarks, they yet are more than neighbors. They bear to each other something of a fraternal relation while they owe to each other something more than even a fraternal dependence and obligation. Neither can properly discharge its high functions without the other. They rise and fall together.

Meeting often in the same field for the discharge of their several functions, they have a right to expect from each other a reciprocal deference, confidence and respect. Having one common aim, the care of the life of man in its three-fold development, they should move together in harmony of purpose and harmony of endeavor, subject to a higher law than that which determines the courtesies of ordinary life.

As learned professions, society seems to have a right to demand of them, especially, conspiring endeavors in the extension of the domain of true intelligence and science. One department of science particularly calls for their united culture. It is the science of sciences, from which all others originate, from which all receive their shape and character; the science of mind. It is a science of vital necessity to each of the professions. May I be allowed here, with all deference to invite the attention of the Medical Profession particularly, to the importance of this study; to inquire whether some branches of Medical science might not be advanced to a vastly higher degree of perfection, if they were to receive a more decidedly psychological development? Is there not



reason for suspecting, for instance, that the present condition of medical jurisprudence is very deficient from the want of the application of a higher metaphysical culture? Then the organic connection between body and spirit—is there not urgent reason for a more scientific investigation of this great subject; and must not the light, which the world is now eagerly looking for, dawn forth from a high medical and metaphysical training? In view of the fact, in short, that the body is but the organ of the spirit, that the physical life is most intimately associated with the life of the spirit, that its phenomena are consequently determined immediately or remotely in a great degree by the organizing principle—the spirit, does it not appear obvious that psychology constitutes a material branch of medical science, and should it not be introduced as an essential department of study into all our medical Institutions? Might not a high elevation and distinction be gained, at once, for the school whose instructions were decidedly characterized by this element of knowledge?

Society demands this particular service of the professions, because the perpetuation of mental science can be expected only on the co-operating labors of each. Professional habits of thought are so apt to engender one-sided views, that it is hardly possible that the laws of the human spirit should receive a full and thorough exposition from the unaided endeavors of either one of the professions. The history of the science teaches a striking lesson here. The metaphysical world has been divided into two great schools—the one inclining to an unmodified spiritualism, the other to an unmodified sensationalism. The father of the former was Plato—a spiritualist—a moral teacher. The latter traces its origin from Aristotle, one of the family of the Asclepiadæ and a member of the medical profession. The contest between these schools continued unmitigated till Bacon arose and by his new law—his new method of philosophizing, terminated the old quarrels and gave a new development to mental science. But the new science could not avoid the professional tincturings of its cultivators. Locke was a physician. He gave philosophy a development from the side of the physical—from the side of sense and matter, and the sensational tendencies thus given to the science, were carried much farther by Hartley, a physician, and his medical followers. Reid, on the other hand, who with Bacon and Locke shares the honor of originating British metaphysics, was a clergyman. He developed the science accordingly from the spiritual side; and thus supplied the wanting side in the

Lockean development. All the great metaphysicians of Britain who have inclined to an idealistic or spiritual philosophy, have been clergymen, as Cudworth, Clarke, Butler, Berkeley, and Price. And now, as the legal profession, represented in Bacon, prescribed the law of philosophizing, may we not naturally expect that, represented in Sir William Hamilton, it is to adjust the controversies of the spiritual and the physical schools, and harmonize into one generally received system, the hitherto conflicting endeavors of the several professions? Does not this remarkable fact in the history of the science teach most clearly the duty of cultivating between the professions a spirit of generous confidence and respect, and, also, impose on each of the professions the obligation to furnish its full contribution to the advancement of the science?

My closing suggestion is that membership of the professional family, while it imposes peculiarly high and holy responsibilities, gives also peculiar promise to the worthy fulfilment of them, of high personal elevation and of corresponding respect and esteem in society.

It follows from the very nature of a profession, as we have seen, that those who in any worthy manner meet its responsibilities, must elevate themselves both intellectually and morally. While most of the other pursuits of life favor only indirectly personal improvement, the professions are ever making a direct draft on personal culture, are directly fostering personal growth.

The professional man, as such, is a learned man. He cannot enter his profession without a strictly scientific training. The pursuit of his profession can hardly do else than push forward continually intellectual research, intellectual discipline, intellectual culture. So in fact we find it to be. The great body of professional men are scientific men. The cultivation of science is mainly confined to their ranks. From the professions have proceeded, with some most honorable exceptions, the great mass of contributions to science and learning.

So, too, the professions are under constant elevating moral influences. The theologian, whose sphere is in the very heart and center of all spiritual influences; the lawyer, whose whole study is in the principles of rectitude itself, and whose entire activity is, or should be, expended on the correction or prevention of wrong, or the enforcement of right; the physician, whose mind is professionally ever open to the great truths of professional science, whose heart is professionally



ever kept sensitive to the wants of the suffering, and whose hands are professionally ever ministering to their relief, how should they not be elevated in all that expands and invigorates intelligence, in all that harmonizes and purifies the spirit? This is the high reward of their labors—the consciousness of obeying the dictates of right while they best effect their own personal elevation through ministry to the highest welfare of their fellow men.

They may expect, however, in addition, the lower remuneration which lies in the confidence and esteem and respect of others. An eminent medical man once indeed, said: “When they are sick, men think us very angels of mercy ; but when they are restored to health, they shun us as fiends.” There is too much truth in the remark. Corrupt human nature is slow to recognize its dependence and, consequently, is ungrateful. But, unhappily, its wants are too frequently oppressing it, to allow the professional man to live long without his reward. And when the want presses, when the burdened spirit in its felt dependence casts itself on professional guidance and ministry for relief and protection, what warmer, fuller confidence does man ever repose in his fellow than is witnessed then? I have seen the proud and haughty spirit, when thus bowed down under spiritual wants, bend, with the lowliness and docility of a smitten child before its parent, at the feet of its spiritual teacher, and in the meltings of a contrite humility, in the gushings of an all-yielding confidence, throw itself without a reserve on his counsels and guidance; and when spiritual relief and healing has come and the spirit rises in a new life and soundness, I have seen spring up a love, a gratitude, a confidence and respect which earth seldom sees even in the piety and loyalty of a child. I have seen, too, the strong man in his social life, when brought low through wrong or violence, committing himself, in the absolute trust of an injured child to his parent, to his legal adviser for counsel and redress; and as his lost rights are recovered by professional skill and fidelity, I have witnessed a strength of attachment, bearing in it confidence, esteem and respect, springing up between patron and client which seemed idolatry without its sin. I have seen, too, the disease-stricken body, prostrate in weakness and pain, visited by society’s consecrated guardian of the physical life; and as I have watched the beseeching eye of the sufferer and the confiding trust of attending friends, as they invoke his mastery over the mysterious pow-



ers of disease, their grateful joy, too, as the spirit of evil retires before his superior might, I have ceased to wonder that a more enthusiastic and imaginative age has made divinities of their professional counselors. And in these every day experiences of professional life, I discover a reward fully ample for its peculiar anxieties and responsibilities.

GENTLEMEN: May you who to day enter upon these labors and anxieties experience largely of this reward—the just desert of your faithful endeavors for a suffering humanity.

